



January 26, 2018

Michelle Carey
Chief, Media Bureau
Federal Communications Commission
445 12th Street SW
Washington DC 20554

Re: Written *Ex Parte* Communication, Modernization of Media Regulation Initiative, MB
Docket No. 17-105

Dear Ms. Carey:

As previously discussed with staff of the Media Bureau,¹ the National Association of Broadcasters (NAB) believes that the current requirement for broadcast licensees to place quarterly issues/programs lists in their public files is not necessary and imposes a burden far outweighing any public benefit. Accordingly, NAB has urged the Commission to replace the existing quarterly issues/programs list with an annual programming compliance report based on certifications as to broadcast licensees' provision of programming responsive to issues of concern to their communities.² While continuing to support this approach, NAB herein addresses certain questions posed by Commission staff concerning other options for reducing unnecessary paperwork and recordkeeping burdens on local radio and TV stations.

NAB's comments in this proceeding explained that there appears no need for quarterly reporting specifically.³ A quarterly requirement requires every station to create 32 issues/programs lists during its license term. No evidence in the record suggests that 32 reports are necessary to ensure that local stations serve their communities of license, or that members of the public rely on quarterly reporting in particular. NAB also discussed the lack of justification for and the limited utility of reporting very granular detail about programs aired in the preceding months.⁴

¹ NAB, Notice of *Ex Parte* Communication, MB Docket No. 17-105 (Dec. 11, 2017).

² Comments of NAB, MB Docket No. 17-105, at 5-10 (July 5, 2017) (NAB initial Comments).

³ NAB Initial Comments at 6.

⁴ *Id.* at 6-7. For example, reporting that a news story about an important local issue aired precisely at 6:15 p.m. on a particular day appears unnecessary.

If the Commission does not adopt a certification approach, as NAB previously suggested, the FCC should replace the current quarterly issues/programs list with a requirement that each station annually place in its public file a document identifying community issues addressed by the station and providing a list of programs that provided the most significant treatment of these issues. This annual submission to the public file would not list every program that covered or referred to those community issues; any list of programs need only be sufficient to show that the issues identified were given significant treatment by the station during the past year. The FCC also should eliminate or at least reduce the level of granular detail associated with any required program listing, particularly as to the precise time, day and/or duration of the identified programming. Those details have not and do not serve any meaningful purpose.

NAB and its members appreciate the FCC's continuing efforts in its media modernization proceeding. We again stress the importance of reducing regulatory burdens on local stations, particularly small ones, which are disproportionately harmed by undue burdens not applicable to broadcasters' competitors in the marketplace.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Rick Kaplan", with a long horizontal flourish extending to the right.

Rick Kaplan
General Counsel and Executive Vice President
Legal and Regulatory Affairs

cc: Martha Heller